

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Jerome R. Lenhard, et al

NOVEL ELECTROCHROMIC
MATERIALS AND DEVICES
Serial No.

Filed

Group Art Unit:

Examiner:

Express Mail Label No. EV293528901US

March 31, 2004
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT FOR CONSIDERATION
BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-described application. In compliance with §1.56, such documents are listed in the enclosed Form PTO-1449.

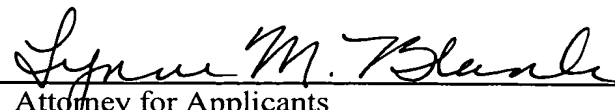
Applicants request that the Patent and Trademark Office make of record the above-identified documents. A full text copy of each document is attached, except for copies of U.S. patents and U.S. patent application publications. For documents not in English, an English translation or an equivalent English language patent or publication may be attached. Where a translation is not available, a concise explanation of the relevance of each document not in English is included either here or in the specification.

This Information Disclosure Statement (hereinafter "Statement") is submitted according to the following selected paragraph:

- I. ☒ This Statement is being filed under §1.97(b) within three months of the filing date of the application (other than a CPA), or before the mailing of a first Office action on the merits or before the mailing of a first Office action after the filing of a request for continued examination.
- II. ☐ This Statement is being filed under §1.97(c), with fee, **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account Number 05-0225. A duplicate copy of this Certification is enclosed.

- III. ☐ This Statement is being filed under §1.97(c), with a certification under, §1.97(e) **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. The undersigned hereby states that (check one):
- ☐ each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.
- IV. ☐ This Statement is being filed under §1.97(d), with fee and certification under §1.97(e), on or after the mailing date of either a final action, a notice of allowance (but prior to payment of the issue fee) or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy of this Certification is enclosed. The undersigned hereby states that (check one):
- ☐ each item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,


Attorney for Applicants
Registration No. 42,334

Lynne M. Blank/ct
Telephone: 585-477-7418
Facsimile: 585-477-1148
Enclosures

FORM PTO-1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Atty. Docket No. 87741LMB Customer No. 01333	Serial No.
If AFTER the later date of the first Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee	Applicant: Jerome R. Lenhard, et al	
LIST OF ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	Filing Date	Group

U.S. PATENT DOCUMENTS						
Examiner Initial*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,902,108	02-20-1990	Byker			
	5,128,700	07-07-1992	Inoue et al.			
	6,301,038 B1	10-09-2001	Fitzmaurice et al.			
	6,433,914 B1	08-13-2002	Lomprey et al.			
	6,605,239 B2	08-12-2003	Fitzmaurice et al.			
	2002/0181068 A1	12-05-2002	Bonhote et al.			

FOREIGN PATENT DOCUMENTS							
Examiner Initial*	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	97/35227	09-25-1997	WO				X
	98/03267	01-29-1998	WO				
	98/35267	08-13-1998	WO				
	01/27690 A2	04-19-2001	WO				

OTHER ART <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>	
	N. Rowley and R. Mortimer, "New Electrochromic Materials", Science Progress (2002), 85 (3), 243-262
	"Electrochromic Materials", in Proceedings of the Electrochemical Society, K. Ho, C. Greenberg, D. MacArthur, eds., Volume 96-24, 1997, pages 1-13, Pennington, NJ.
	A. Sammells et. al., J. Electrochem. Soc., 1986, vol.133, 1270-1271
	Displays (1999) 20, pp. 137-144
	Gratzel et. al. in J. Amer. Chem. Soc., 1993, vol 115, 6382-6390
	Fitzmaurice et. al, J. Phys. Chem. B 2000, vol. 104, 11449 – 1459

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	